

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JOHN HAMLETT,

Plaintiff,

ORDER

11-CV-3106 (CBA)(MDG)

- against -

CORRECTIONAL CAPTAIN JOHN DOE,
Shield # Unknown, 11-7 Shift, July 9th, 2008
(Dorm 4 - Bing Area); CORRECTIONAL
OFFICER JOHN DOE, Shield # Unknown, 11-7 s
Shift, July 9th, 2008 (Dorm 4 - Bing Area) ,

Defendants.

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GO, United States Magistrate Judge:

Plaintiff's application to proceed *in forma pauperis* under 28 U.S.C. § 1915 is hereby granted. The Clerk of Court shall send a copy of this order and the complaint to the New York City Law Department and to plaintiff. No summonses shall issue at this time. Plaintiff's application for appointment of counsel is denied without prejudice.

Plaintiff John Hamlett, brings this *pro se* civil rights action pursuant to 42 U.S.C. § 1983 alleging that while he was being held at the North Infirmery Command at Rikers Island, on or about July 9, 2008, at approximately 12:00 a.m., John Doe Correction Officer and John Doe Correction Captain, used excessive force against him. Plaintiff does not know the shield numbers for these defendants, but states that on the July 9, 2008, they both worked the "11-7 shift," in "Dorm 4-Bing Area," of the North Infirmery Command at Rikers Island.

Pursuant to Valentin v. Dinkins, 121 F.3d 72 (2d. Cir. 1997)(per curiam), the Court requests that Corporation Counsel ascertain the full names and service addresses of the Correction Officer and Correction Captain involved in this July 9, 2008 incident. Corporation Counsel need not undertake to defend or indemnify these individuals at this juncture. This order merely provides a means by which plaintiff may name and properly serve the defendants as instructed by the Second Circuit in Valentin. Corporation Counsel is hereby requested to produce the information specified above regarding the identity and service addresses of John Doe Correction Officer and John Doe Correction Captain, by September 15, 2011. Once this information is provided, plaintiff's complaint shall be deemed amended to reflect the full names of the defendants, summonses shall be issued and the Court shall direct service on the defendants.

For information regarding court procedures, plaintiff may contact the Pro Se Office at the United States Courthouse by calling (718) 613-2665.

SO ORDERED.

Dated: August 17, 2011
Brooklyn, New York

_____/s/_____
MARILYN D. GO
United States Magistrate Judge